

# **EXHIBIT 1**

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

PATRICIA GARNER-RUSSO, et al.,

Plaintiffs,

vs.

STATE OF ALABAMA, et al.,

Defendants.

CIVIL ACTION NO. 2:06 CV626 A

**AFFIDAVIT OF SANDRA EUBANK GREGORY**

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

Before me, the undersigned authority in and for said state and county, personally appeared **SANDRA EUBANK GREGORY**, who, after being duly sworn by me, deposes and says as follows:

1. My name is Sandra Eubank Gregory and I am over the age of twenty-one (21) years. I am a resident of Jefferson County, Alabama. I have read and am familiar with the Complaint styled Patricia Garner-Russo, et al. v. State of Alabama, et al., pending in the United States District Court for the Middle District of Alabama, Northern Division and designated as Civil Action No. 2:06 CV626 A. I have personal knowledge of the matters set forth herein.

2. That I am a licensed and practicing attorney in the State of Alabama. I received my undergraduate degree from Florida State University in 1993. I graduated

from the Cumberland School of Law at Samford University in 1998. I have been a licensed and practicing attorney in the State of Alabama since September, 1998. From December, 1999 through June, 2004, I was employed by the Legal Aid Society of Birmingham as a staff attorney. Since June, 2004, I have been employed as an associate at Marcus A. Jones & Associates in Birmingham.

3. That I have never been employed by the State of Alabama, Alabama Department of Human Resources, or Jefferson County Department of Human Resources. I have never maintained an office at the Alabama Department of Human Resources or the Jefferson County Department of Human Resources. According to the case summary, the plaintiff issued this Complaint against me by certified mail c/o Jefferson County Department of Human Resources located at 1321 5<sup>th</sup> Avenue South, P. O. Box 11926, Birmingham, AL 35202-1926. I do not maintain an office at this location or receive my mail at this Post Office Box. Neither have I authorized anyone employed or associated with the Jefferson County Department of Human Resources to act as my employee, agent, or to accept service of the Complaint or any other legal correspondence. To date, I have never been properly served with the Complaint by Ms. Garner-Russo.

FURTHER, AFFIANT SAYETH NOT.



SANDRA EUBANK GREGORY

STATE OF ALABAMA )  
                      )  
COUNTY OF JEFFERSON )

Sandra Eubank Gregory being first duly sworn, deposes and says that she has read the foregoing instrument and she knows the contents thereof; that the same is true to her knowledge and belief.

Sworn to and subscribed before me this 30 day of August, 2006.

Sonya Gilbert Watts —  
NOTARY PUBLIC  
Commission Expires 8/14/10